

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-18997-2017

Date of Decision: 30.5.2017

Gurpal Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Mrs. Bhavna Gupta, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.81 dated 9.12.2014 registered for the offences punishable under Sections 406 of Indian Penal Code (for short, "IPC") at Police Station Nandgarh Bathinda, District Bathinda.

Notice of motion.

On the asking of the Court, Ms. Bhavna Gupta, DAG, Punjab, who is present in Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

Learned counsel for the petitioner submits that the allegation against the petitioner is that he has misappropriated 6434 bags of paddy weighing 2251.90 quintals. The police after investigation presented the challan. The entire case is based on documentary evidence. Even otherwise,

the matter is also pending before the arbitrator.

Keeping in view the fact that the case against the petitioner is based on documentary evidence and that conclusion of trial will take considerably long time but without expression any opinion on merits of the case and, the present petition is allowed. Petitioner-Gurpal Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

May 30, 2017

Paritosh Kumar

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No